

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

AHMED AL-KHAWALANI,

Petitioner,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY,

Respondent.

Case No. 2:19-cv-182

HON. JANET T. NEFF

ORDER

This is a habeas corpus petition filed pursuant to 28 U.S.C. § 2241. Respondent filed a Motion to Dismiss (ECF No. 8). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on April 1, 2020, recommending that this Court grant the motion to dismiss the petition as moot. The Report and Recommendation was duly served on the parties.¹ No objections have been filed, *see* 28 U.S.C. § 636(b)(1), and the Court issues this Order. The Court will also issue a Judgment in this § 2241 proceeding. *See Gillis v. United States*, 729 F.3d 641, 643 (6th Cir. 2013) (requiring a separate judgment in habeas proceedings). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Judge (ECF No. 12) is APPROVED and ADOPTED as the Opinion of the Court.

¹Service of the Report and Recommendation on Petitioner was returned, marked “return to sender,” “inmate transferred,” “not deliverable as addressed,” and “unable to forward” (ECF No. 13). Petitioner has failed to keep the Court apprised of his current address.

IT IS FURTHER ORDERED that the Motion to Dismiss (ECF No. 8) is GRANTED, and the petition for habeas corpus relief (ECF No. 1) is DISMISSED as moot for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that a certificate of appealability pursuant to 28 U.S.C. § 2253(c) is DENIED as to each issue asserted. *See* RULES GOVERNING § 2254 CASES, Rule 11 (requiring the district court to “issue or deny a certificate of appealability when it enters a final order”). Petitioner has not demonstrated that reasonable jurists would find the Court’s rulings debatable or wrong. *Slack v. McDaniel*, 529 U.S. 473 (2000); *Murphy v. Ohio*, 263 F.3d 466, 466-67 (6th Cir. 2001).

Dated: April 27, 2020

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge